

# **Motivations of Women Who Organised Others for Prostitution: Evidence from a female prison in China<sup>1</sup>**

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## ***Abstract***

This paper discusses women's involvement in sex work management – an offence defined under Section 358 of the 1997 *Chinese Criminal Law* and one of the re-emerged areas of illegality following the economic reforms since 1978. It firstly provides the historical context, legislative background and relevant sections of the Chinese vice laws so as to help make sense of the data obtained. Then it discusses the methodological issues before presenting the empirical findings to explore the socio-demographic profile of the incarcerated female sex work organisers participated in this study and their motivations for organising others for prostitution. Based on empirical data, this article explores the impact of social conditions on female offenders in China's reform era and also the effects of the anti-prostitution policy in the country. Moreover, through a Chinese case study, it makes contributions to broader scholarship on the sex trade regulation. It concludes with a couple of implications for policy and practice.

## ***Keywords***

Female offenders, sex work management, motivations, China, qualitative research

## **Introduction**

In Communist China, prostitution is construed a feudal-capitalist phenomenon and prostitutes are traditionally assumed to be women who are victims of male sexual exploitation (Jeffreys, 2004; Ren, 1999). Following the founding of the People's Republic of China in 1949, the

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Chinese government announced the elimination of prostitution in 1956 (Dutton and Xu, 2005). Since then official statistics indicated that prostitution no longer existed in the country until the economic reforms started in 1978 (Zhang, 2011). With the flourish of the sex trade, prostitution and prostitution-related offences are claimed to be the government's 'newly targeted areas of illegality' (Dutton and Xu, 2005).

From a Communist ideological perspective, sex workers are victims whilst those facilitating sex work for others are exploiters and abusers and the sex industry is a cause of social instability. The vice laws in China reflect this construction and thus are designed to bar prostitution altogether so as to eradicate the 'social evil'. Consequently, the sex trade operates underground within entertainment establishments and other service sector businesses. Since streetwalking is not usually an option, sex workers adopt various alternative methods to contact clients, such as through advertising, working in entertainment establishments and receiving services of third party organisers. Gradually, an illicit sector has been created that offers services demanded by sex workers and commercial sex users who both need a third party to facilitate sexual transactions for them. It is this service sector that is targeted by the criminal law which holds liable any third parties who act between sex workers and their clients. This study examines female law-breakers in this illicit service sector.

While there are various dimensions of the sex trade in which female criminality should be examined, this article investigates only the social identity and diverse motivations of women who have been imprisoned for their participation in the organisation and management of sex work activities. A further aim is to explore the impact of social conditions on female offenders in China's reform era and also the effects of the anti-prostitution policy in the country. In addition, through a Chinese case study, this article hopes to make contributions to an international discussion on the complexity of sex trade regulation that helps assess the outcomes of policy measures (Wagenaar and Altink, 2012). These aims are to be achieved by

examining women's involvement in one particular prostitution-related crime – 'organising others for prostitution' defined in Section 358 of the *Chinese Criminal Law* 1997 (thereafter, 'Section 358 Offence').

Before detailing the fieldwork and empirical findings of this study, the historical context, legislative background and relevant sections of the Chinese vice laws are provided to help make sense of the data obtained.

## **Historical and Socioeconomic Context of Female 'Sexual Crime'**

Throughout China's long history, Confucian's ideology about women has had a profound and long-lasting impact. In strictly Confucian terms, fidelity was considered absolutely vital for women and the aim of defining and enforcing female virtues was to regulate women and make them good servants to men who dominated the family and the society (Jackson, 2006).

To differentiate 'New China' from 'the Old Societies', the Chinese Communist Party endorsed gender equality for women in its early days (Shen and Winlow, 2013). However, certain Confucian norm of good womanhood, especially fidelity, has been institutionally preserved even in the heat of the Cultural Revolution (Bailey, 2012). For example, social stigma was attached to women involved in extra-marital affairs who, once found, were usually publically humiliated (Shen, 2015a). Hence, according to Mitter (2008), the changes in Maoist China have not brought Chinese women an uncomplicated gender equality, freedom and liberation.

Since the start of modern economic reforms, neoliberal policy and practice has been introduced and over the past 36 years China has achieved the unprecedented economic growth but at the same time it has become increasingly polarised (Harvey, 2005). In Mao's socialist

China, social inequality was primarily between rural and urban populations: urban residents enjoyed the everyday privileges to which villagers were ineligible. In the post-Mao era, not only the rural-urban divide remains but also the gaps between the middle and the working and under classes are widened. Today, rural migrants and the urban unemployed and general labourers consist of China's marginalised social groups (Goodman, 2014). Furthermore, social inequality in China is gendered and women's liberation appears to have eroded in the reform era (Li, 1993; Fincher, 2014).

Although evidence shows that the Chinese expectations about women's sexual activity have evolved and divorce, pre-marital sexual relationships and even extra-marital affairs are becoming more and more tolerated (Jeffreys, 2008; Shen and Winlow, 2013), the Confucian moral code continues to enforce relatively strict cultural discipline that acts to prevent women rebelling against traditional norms relating to gendered practice (Shen and Winlow, 2013). For example, having casual sexual relationships with men, although tolerated to a certain extent, is seen as evidence of moral deterioration in female behaviour (Jeffreys, 2008; Tong, 1995). Such a cultural norm continues to prejudice women who have broken both laws and cultural norms.

In this cultural context, Chinese women continue to be denounced as 'delinquent' or 'immoral' if they are judged to have stepped beyond the rather ambiguous boundaries of contemporary sexual propriety on both popular and academic accounts (Shen and Winlow, 2013). While some studies show that, like many jurisdictions, female criminality in China appears to be concentrated on property crime (Kang, 2005; Zhang, 1992), there are contradictory findings. For example, Yin (1997) reported that sexual crime accounted for more than 90 per cent of the overall female youth crime in China. It is supported by Wang (2003) and Zhang (2008) who both claim that the most prevalent law-breaking involving women in the reform era is in fact 'sexual crime'. However, what amounts to sexual crime is not clearly provided in the existing literature.

According to Yao (2002), sexual crime can be divided into three categories: first, sexually motivated violence, such as rape and sexual assaults; second, public order offences such as promiscuity and licentious activities; and the third category comprises criminal acts including sex trafficking, forcing others into or organising others for prostitution and other prostitution-related criminal activities. Others (for example Dong and Xu, 1998; Kang, 2005) claim that female sexual crime includes offences involving a woman who uses or exploits female sexuality as a resource for criminal gain. Quite often women convicted of organising others for prostitution are expressly included in the category of ‘female sex offenders’ (see for example Wang, 2003; Yang, 2012). Hence, as Shen and Winlow (2013: 335) noted, sexual crime in China ‘often connotes something quite different from the images conjured up by this phrase in the West’, for instance, that of Vanessa George – a notorious UK female sex offender convicted of child abuse. The statistics of sexual crime in China appear primarily to reference prostitution and prostitution-related crimes. The inclusion of these offences in sexual crimes reflects the meanings and sentiments that prevail in popular culture and seeks to (over)address the problem.

In Chinese language discourses, female sex offenders are frequently associated with the derogatory terms such as ‘shameless’, ‘morally rotten’, and ‘lack of dignity’ (see for example Kang, 2005; Li, 2011; Wang, 2004; Yao, 2002). Yang – a criminal justice official and also an expert who publishes broadly on female criminality and rehabilitation of female offenders – provides a rich text under the heading of ‘sexual offences involving women’:

These female (sex) offenders are incredibly benighted, shameless, and embraced with unlimited greed, who stretch out their black claws, open their mouths with sharp teeth, suck our society’s blood, create one after another sin and crime, damage their own families and cause disasters to the society... For them, beautiful appearance is drowned in sin and crime and their beauty has turned to ugliness.

This emotional account is extracted from Yang's (2012: 55) scholarly work and it illustrates that, in certain respects, the cultural condemnation of female law-breakers and female 'sex offenders' in particular acts as a logical extension of traditional Confucian attitudes that see criminal offending as plainly against female nature and the gender code for women. Unfortunately, this has no sign of going out of fashion (Shen and Winlow, 2013). It is in this socio-cultural setting that the Chinese vice laws were created and are practised.

## **Legislative Background and the Vice Laws in China**

Under Chinese law, the sale of sex for money *per se* is not criminal although sex workers and commercial sex users are subjected to administrative sanctions, including an administrative fine or 15-day administrative detention. Detention for six months up to two years – also an administrative measure – may be used under certain circumstances. Differently, any third party who organises sex work activities for others is criminalised.

To respond to the flourishing sex industry and target all third party sex work organisers, Section 358 Offence was created in 1997, in addition to a similar offence already available in the 1979 criminal law – 'inducing or sheltering *women* for prostitution with an intention to gain profit'. Section 358 states:

Anyone who organises others for, or forces others into, prostitution shall be punished with between five and ten years imprisonment. Anyone who commits such crime with an aggregating factor(s) shall be punished with ten years imprisonment or a life sentence. Anyone who commits such crime with an aggregating factor(s) under extremely serious circumstances shall be punished with a life sentence or the death penalty.

The definition is rather broad and there are harsh penalties. In addition, it has made some visible changes to reflect the crime reality and the changing social circumstances. For example, unlike in the previous similar provisions, ‘intention to gain profit’ is no longer an element in the new crime so as to make it easier to establish guilt and the word ‘others’ has replaced ‘women’ to recognise the existence of male prostitutes.

The 1997 criminal law has a separate provision (Section 240(4)) to target trafficking in women and children for sexual exploitation. Therefore, Section 358 appears to be created to particularly prevent a third party from organising and controlling prostitution. Although the law, by reading it, distinguishes between those who organise voluntary adults for prostitution and those who force others into prostitution it penalises any sex work organisers regardless whether those whom they organise are voluntary adults, children or forced. Therefore, the law assumes sex workers as victims of exploitative control where they are organised by others and that any third party acting between sex workers and commercial sex users is a perpetrator associated with involuntary prostitution, sex exploitation of minors and other forms of criminality in this setting. The law denies human agency of adult sex workers.

Interestingly, a body of evidence (see Chin and Finckenauer, 2012; Liu, 2012; Lu, 2014; Pan, 2014; Zheng, 2014) suggests that voluntary prostitution is predominant in contemporary China, with adults – usually young women – provide sex services for better monetary rewards than working in legitimate labour-intensive industries. Recent scholarly work on prostitution suggests that some sex workers are organised by others, although the proportion of them and the number of those who organise them are unknown. Accordingly, the segregated number of female sex work organisers is unavailable.

When describing the overall pattern of female criminality in China, Yang (2012) claims that women are increasingly seen to be brought into the criminal justice system for prostitution-

related offences. However, female sex work organisers are not the focus of that research. Some regional studies examining the trend of female law-breaking in the reform era (for example Wang, 2003; Zhang, 2010) also suggest that women who are engaged in sex work management are significantly more than men, but no further analysis is provided. A larger scale ethnographic study conducted by Chin and Finckenauer (2012), which investigates female commercial sex workers from mainland China who work in several specific geographical locations overseas, suggests that organised criminal groups tend not to be involved in the sex trade in China because of the level of operational sophistication and their low interest in small profit gained through comparing other methods of organised crime. This finding seems to indicate that the sector of sex work management is readily available in the criminal markets for individual operators of whom the majority are women (Shen, 2015a).

Under the current policy in China, anti-prostitution has been one of the enforcement priorities and from time to time there are campaign-style anti-prostitution operations, commonly known as *saohuang* (literally, ‘sweeping yellow’ – ‘yellow’ symbolises prostitution and pornography in Chinese culture). The top-down national police operations are heavy-handed and carried out sporadically once prostitution becomes a serious social concern. During the *saohuang* campaign entertainment venues which have been caught for offering the sex services are usually shut down following the police raids; sex workers – largely rural migrants – are arrested, often shamed, intimidated and temporarily extracted from their usual places of ‘work’. Arrests are also made against sex work organisers who would be placed in the criminal justice system and penalised in the end but they are often ignored by the male-dominated media which tend to be interested in offering ‘a titillating glimpse into a damaged femininity’ (Shen and Winlow, 2013: 335) by exposing in various of outputs the scenes of suspected prostitutes kneeling on the floor with their heads down and hands cuffed.



On the other hand, the crackdowns are regarded as ‘nothing but a show’ in Chinese language social media as no evidence shows that the periodical *saohuang* campaigns, which aim at eradicating the sex trade, have actually slowed down its growth (Zheng, 2014), nor do they seem to have deterred individuals from getting involved in organising prostitution for others (Shen, 2015a). Apart from the crackdowns, there have been no specific measures that focus on helping those involved. Consequently, the sex trade has operated in a more concealed manner and it has become more difficult to police.

The operational format of the service sector of sex work management is complex and sex workers may be organised and managed by ostensibly legitimate entertainment establishments or by individual organisers. A wide array of services is available. For example, independent individual organisers usually arrange transactions to be performed in their rented premises or within entertainment establishments chosen by them. They usually maintain a stable client base, arrange their service users to meet and perform commercial sexual activities and also ensure payments to be made. Differently from independent sex work organisers, the employed organisers may do as little as accompanying sex workers to meet their clients. Female organisers of a ‘husband-wife team’ tend to deal with general house-keeping, such as cooking, cleaning and anything that men feel inconvenient to do to facilitate a sexual transaction.

As to social identity of sex work organisers, existing literature suggests that while they are diverse in terms of status, economic power and connections with local authorities, the majority of individual organisers are in a similar social and financial position to sex workers whom they organise (see Gil *et al*, 1994; Lu, 2014; Pan, 2000; 2004; Shen, 2015a) – being rural migrants and members of the urban working and under classes. Their social identity and personal conditions may help make sense of why these women decide to get involved in the sex trade as organisers.

Previous studies provide little evidence that suggests links with women who are involved in the broader sex industry through human trafficking. Literature describes female sex workers as ‘trafficked’, not sold, kidnapped or abducted, into ‘sexual exploitation’ because ‘there has been little or no evidence that these women have entered prostitution through force’ (Zheng, 2014: 200).

Overall, as we have seen, previous research on prostitution in China has rarely examined sex work organisers in detail. The present study, through a gendered lens, focuses on female organisers in the sex trade to offer a unique, nuanced discussion by listening to the women’s own voices. Based on the original data, it serves to overcome the glaring knowledge gaps and seeks to make sense of the women’s decision to engage in this illicit service sector by considering the criminogenic factors of the free-market capitalism practised in China and that of class and gendered inequalities. Moreover, it makes contributions to broader scholarship on the sex trade regulation.

## **Methodology**

This article relies on the original data drawn from a larger research project on female criminality in contemporary China (Shen, 2015a). For that project and the present study, a qualitative approach was thought to be most preferred to achieve the research aims because qualitative research focuses on the subjective meaning, reflection on experiences and a great deal of exploratory insights into women’s life stories (Hesse-Biber, 2007) and on the underlying processes of social interaction (Layder, 2013).

Previously, a body of feminist studies on crime were conducted in the prison environment (see Bailey, 2013; Chui and Gelsthorpe, 2004; Comack, 1999; McCorkel, 2003) and qualitative approaches have been commonly adopted (see for example Bosworth, 1999; Bosworth *et al*,

2005; Ham and Gerard, 2014; Pallot et al, 2012; Price, 2012). Here, the empirical work was undertaken in a Chinese female prison and semi-structured interviews were used to gather the female sex work organisers' narratives and biographies.

As of July 2013, 76 women were incarcerated for Section 358 Offence in the sample prison, from whom nine were randomly selected, and all of the nine women agreed to participate in the interviews. Similar to many other countries, including those in the Western, liberal world such as the United States (see Phillips and Earle, 2010), research in the prison environment is rarely institutionally embraced in China. Gaining access to prisoners is extremely difficult and where access is authorised there is usually an array of restrictions for the researcher. In this study, interviewing was only permitted on specified days over a two-month period and at a specified time of the day. During the fieldwork, a number of interviews were cancelled, cut short or interrupted due to various unforeseeable events within the prison (see details in Shen, 2015a). In this context, interviewing nine female prisoners was a remarkable achievement, although had it been practically possible interviewing all of the 76 women would have made the data and the article much more strengthened.

Also for practical reasons, learning from previous studies (Joe and Chesney-Lind, 1995; Joe-Laidler and Hunt, 2001), the fieldwork was divided into two stages. The first stage was to collect basic socio-demographic information of all of the 76 convicted sex work organisers through a short survey which was conducted with the assistance of the prison staff. The second stage was the interviews.

Since recording devices were strictly prohibited by the Chinese prison authority, the information was recorded by note-taking. The interviews were carried out in Chinese and the field notes were translated into English and simultaneously word-processed after the interviews on the same date to ensure that gaps were filled in with fresh memory. The processed field

notes included the words of the participants and the reflections of the researcher – ‘memoing’ in the term of Withrow (2014). Data analysis started while the field notes were being word-documented.

It is worth noting that language translation was an important part of data processing in this study and finding cultural, conceptual and language equivalences was extremely challenging. For example, female sex workers are commonly called *xiaojie* in China which has no precise equivalency in English because, according to Zhang (2011), *xiaojie* is preferred as it carries more social acceptance than ‘prostitutes’ and is more ambiguous than ‘sex workers’. Therefore, the term is context-sensitive. Likewise, women who, in whichever way, organise *xiaojie* are called ‘mami’, similar to ‘mammies’ in English, but the data shows that ‘*mami*’ and ‘mammies’ are different in many ways. Thus, *mami* is used to distinguish female sex work organisers in China and their counterparts in the Western societies. In this article Chinese terms are used to deliver their original meanings, where appropriate and necessary.

Two dangers in this study are fully acknowledged both in relation to generalisation: first, making generalisation about China – a vast country known for its regional variations; second, making an attempt to generalise about all female sex work organisers in China when interviewing only a small number of convicted offenders in one prison. However, the purpose of this research is to focus on the respondents and understand in great detail their experiences so as to obtain some insights into a particular group of ‘female sex offenders’ to fill in the knowledge gaps. Whilst the results cannot be taken as general findings which apply to all cases, the case that is sampled here is typical in many respects and therefore there is no reason to doubt that the findings have wider value and applicability, which of course can be duplicated in future studies.

## Who Were They? Profile of the Female Sex Organisers

Information provided by the sample prison in July 2013 shows that women incarcerated for organising others for prostitution presented 3.2 per cent of the overall female prisoner population and they were typically in their twenties, thirties and forties. Table 1 below illustrates the socio-demographic profile of the respondents.

**Table 1. Overall Profile of the Respondents (n=9), July 2013**

Respondent	Age	Domicile	Education	Marital Status	Occupation	Prison Term (years)
CL	28	City	Junior middle	Married	Unemployed	6.5
LLL	23	City	Primary school	Single	Unemployed migrant	6
LLN	24	City	Junior middle <sup>1</sup>	Single	Unemployed	5
WFL	20	City	Junior middle <sup>1</sup>	Single	Unemployed migrant	6
WJ <sup>2</sup>	36	City	Junior middle <sup>1</sup>	Married	Unemployed migrant	10
WXJ <sup>2</sup>	53	City	Senior middle	Married	Retired civil servant	8
YL <sup>3</sup>	34	City	College	Single	Unemployed migrant	7
YX	28	City	Junior middle	Single	Company director	5
ZR <sup>2</sup>	35	City	Junior middle	Married	Migrant worker	5

### Notes:

1. LLN, WFL and WJ were junior middle school dropouts.
2. WJ, WXJ and ZR are mothers of one or more children.
3. Among the respondents, only YL once worked as a sex worker.

As Table 1 shows, the respondents were aged between 20 and 53 but mainly in their twenties and thirties. Four were married women, among who three were mothers of one or more children. As to educational status, all of the respondents had completed primary education or above and all of them demonstrated very good verbal communicational skills in the interviews. This is consistent with the findings in Pan's (2014) study on prostitution which reveals that *mami* commonly had excellent people skills and incredibly good memories who could remember the personal details of almost every commercial sex user whom they had dealt with.

The data indicates that prior to arrests, all of the respondents were residing in cities and the majority of them were rural migrants. Except WXJ who was a retired cadre of a state-owned corporation, the respondents seemed to have similar social status to that of the female sex workers whom they were organising – being rural migrants and unemployed and self-employed urban young women who were, in one way or another, associated with the sex trade. For example, YL once worked as a sex worker; CL used to be a D. J. at a nightclub where she was initially asked by several *xiaojie* to be their *mami*. One result of social stigma attached to the sex trade is the marginalisation of individuals, usually women, working in it. Therefore, it is not uncommon that female sex workers tend to befriend the similarly situated others in the same industry, including their organisers, and *vice versa*. Being female, *mami*, rather than *jitou* (male organisers), were preferred by *xiaojie*, as CL explained:

*Xiaojie* were following me because not only I was *youbenshi* (capable) but also I understood them. As a woman myself, I knew exactly what they wanted and what they tried to avoid. Honestly I treated them as colleagues and friends. They called me ‘Li Jie’ (sister Li) which was nice.

Research in other social contexts suggests that sex workers are more likely to be in the dependent employment relationships than working independently for safety and companionship (Outshoorn, 2012; Pitcher, 2014). Working collectively, although sometimes is organised by sex workers themselves, does often involve ‘a third party receptionist’ who offers additional protections and screening (Carline, 2011), someone who can be contacted should emergencies come up, or more sophisticated organisers who offer a wider range of services, for a fee.

The interviews reveal that commissions paid to *mami* varied, which could be a fix charge between ten yuan (10 yuan  $\approx$  £1) up to 200-300 yuan per transaction. Alternatively, the percentage system could be used and the commissions were typically ten up to 30 per cent of

*xiaojie*'s earnings. Due to the nature of this business sector, there were inevitably 'rules' which, according to the respondents, were to ensure payments to be made by clients to *xiaojie* and commissions to be received by themselves. Some rules were created to prevent *xiaojie* from working independently or for others and for YL this was meant to protect *xiaojie* from violence exercised by male clients:

An independent *xiaojie* in our area was killed by a sadistic male client... Following that incident, a few more *xiaojie* joined me. After all, I had a regular client base and I had more or less dealt with these clients previously.

The claim does not seem to be unreasonable as the sort of screening and protection that was offered by the *mami*, although limited, would attract, rather than be repelled, by *xiaojie* who took risks working in the unregulated and thus potentially dangerous sex industry, and there were no alternatives.

No evidence appeared in the interviews suggests that the respondents, whilst working as *mami*, had rules to specify *xiaojie*'s clothing, working hours and dos and do-nots in working practices and nothing suggests that they exercised abusive control over the sex workers whom they were managing. Nevertheless, there is no indication that the respondents did much to restrict the clients' behaviour so as to protect *xiaojie* from harm. The 'screening' that *mami* could manage to do was merely based on their limited personal knowledge of the clients with whom they had dealings before. Admittedly, *mami*'s services were unprofessional and virtually impossible to ensure a reasonable level of safety for the sex workers.

Moreover, coercion against *xiaojie* by the respondents did not surface in the interviews. Instead, there appeared to be more a contractual relationship between *xiaojie* and *mami*, with *xiaojie* committed to sexual transactions with the clients provided to them by their *mami* and *mami* supplying sufficient clients to *xiaojie* and dealing with the general facilitative work for the sex services. Working conditions and payment methods were discussed in advance, usually

informally and in vague terms. Typically, without regulation, legal protection is unavailable and, as recognised in other social contexts, the precarious nature of work in this setting does seem to leave sex workers open to violence and exploitation (Pitcher and Wijers, 2014). However, evidence here does not support an exploitative *mami-xiaojie* relation but suggests that *xiaojie* were capable of exercising active agency in negotiating their working conditions and rewards with their female organisers with whom they shared the same social and power position. Thus, as Sanders *et al* (2009) argued, if exploitation has to be deemed as a nature of sex work management, it may not be clear cut as to who the exploiter is and who the exploited is. Pan (2014) observes that some *mami*, such as ZR in the present study, feel like maids, or personal assistants at best, of *xiaojie* and sometimes *mami* are found to be verbally abused by *xiaojie* for having provided ‘bad’ clients to them.

Unsurprisingly, the interviews reveal that all of the respondents were first-time offenders and that none of them had been involved in involuntary prostitution, recruitment and exploitation of minors, or sex trafficking. Thus, the social-demographic profile of the female sex work organisers here differs considerably from that of pimps traditionally depicted in the Western literature as typically abusive male with a wide repertoire of offending (Day, 2007; Hodgson, 1997; Hoigard and Finstad 1992; May *et al*, 2000). The female sex work organisers in this study were ordinary Chinese women with basic education but the majority of them lacked opportunities in the legitimate career structure and were members of the disadvantaged social groups. Therefore, there are gaps between who female sex work organisers actually are and do and that is typically (distortedly) assumed in the popular, academic and official discourses. As female ‘sex offenders’, female sex work organisers tend to be morally judged as bad women and caricatured as ‘voracious money-grabbers’ (Jeffreys, 1997).



In addition to enabling to profile the female sex work organisers, the empirical data has also allowed some typologies to be drawn of the women's motivations for engaging in the management of sex work.

## **Motivations of Female Sex Work Organisers**

A superficial analysis on sex work management may suggest that individuals involved are simply driven by the powerful economic incentives. This claim is partially true because the interviews do indicate that the respondents were primarily motivated by monetary gain. However, a deeper investigation has enabled to bring to light some structural causes of money generation through illegitimate means and that together with economic incentives there are other advantages associated with the sex industry, which induce women to get involved despite social stigma attached to it. In addition, male coercion seems also to be a cause of females' involvement in the illicit service sector typically in the context of intimate relationship dominated by man.

### *Economic incentives*

In the reform era, individual wealth generation has been institutionally promoted by the Chinese state to boost economy. A cultural consequence of this is the general desire of 'getting rich' in the society as a whole and gradually the pursuit for personal wealth becomes the only driving force in Chinese social life (Yan, 2011). Women, like men, are expected to establish businesses, make money and get rich. However, opportunities are restricted to them as gender discrimination is deep-rooted, institutionalised and widespread in China and in the reform era gender inequality in the job markets is rife (Fincher, 2014; *The Guardian*, 2012; 2014b). For those who have no competitive qualifications, financial resources and social networks, it is harder to get into the legitimate career structure. Therefore, some have turned to alternative

routes for monetary achievements and career successes. YL was one of them who was engaged in the management of sex work in her early thirties. As a highly motivated rural migrant in the city, she tried every opportunity throughout her twenties to get a decent job but failed repeatedly. After being cheated out of all her savings by a fraudulent recruitment agency, she worked as a *xiaojie* and soon found organising sex activities for others was an opportunity to turn her life around:

I realised I could be a *mami* myself because by then I had a stable client base and also a lot of *xiaojie* friends. I thought it could be a good start... My goal was 500,000 yuan (about £50,000) which was the amount that I needed to open a 4S shop to run a car sale business.

For YL, sex work management was her life chance to get ‘the first bucket of gold’, have a decent career, find a decent man and live a decent life:

I believe my boyfriend should have the same social status as me. To find a decent one, I must first have a decent, well-paid job or a stable business. Cinderella is a fairy tale. In reality before I can find a decent man I must work harder and get better.

This objective is a basic one, for which many young women would have. For those geared with social, financial and human capitals it can be easily achieved through legitimate channels whilst for those who have none it may not be so simple.

Secondly, female consumerism is undeniably a powerful drive for women to engage in crimes for gain (Sharpe, 2012). As in many marketised societies, in China individuals’ value, capacity and social status are increasingly reflected by material symbols, of which the gender impact is remarkable (Shen, 2015b): consumer goods promoted through news media and business advertising target women in particular (Lui, 2012) and femininity today appears to be

determined by the ability to consume the world's top-brand cosmetic products and luxury items. Thus, consumption power becomes increasingly irresistible for young women that can sometimes trigger criminality, as WFL remarked:

...he (her boyfriend) gave me money to spend, bought me nice clothes and often took me out for meals... I did not want to have anything to do with it (the sex trade) but honestly we did make money from it. I always had money to buy things – designer bags, clothes, and stuff like that.

For WFL, material consumption was a powerful drive which induced her to engage in organising *xiaojie*. Sex work management does seem to enable quick money and here, with one exception (ZR), the respondents in their twenties and thirties were able to own cars and one or more apartments in the city as a result of working as *mami*. The consumption power enabled by sex work management seemed to have outweighed risk-taking for the respondents.

Thirdly, the data suggests that some respondents were driven by the desire of moving up the social ladder to be part of the middleclass which is often associated with wealth, privileges, power and respect (Edwards, 2008; Jeffreys, 2008). For YX, who owed a small beauty salon before she invested money in a hotel which later hired *xiaojie* to run sex services, upgrading social status was her incentive to get involved in the sex trade:

I had some spare money and was looking for investment opportunities. A friend of mine persuaded me to invest in a hotel. I gave her 80,000 yuan. She then rented one... My friend and I were statutory representatives (company directors) of the hotel but neither of us was managing it... Why did we do it? Well, you need establishments, something bigger, more significant... You need status, titles and respect, not just cars, apartments and luxury goods.

Apparently, YX did not have to put herself in the position of taking risks to involve in crime to sustain her life. However, for young women who wish to improve their social status, consumer goods, although may symbolise social status and generate aspirations and pursuit (Goodman, 2008), are not enough. This is well demonstrated by Guo Meimei – a Chinese young woman described by *Daily Mail* (2014) as ‘professional mistress’ – who boasted on social media not only her glamorous lifestyle, but also her ‘job’ title – Red Cross senior manager. Here, to become director of a large business establishment was necessary for YX to gain an impressive job title and the desired social status which, along with the material symbols, qualify her as a privileged, middleclass woman in contemporary China. It was this desire that had motivated her to involve in law-breaking.

Whilst the vast majority of the respondents were living a financially sustainable life prior to their engagement in sex work management, ZR, a 35-year old migrant woman, was in a desperate position:

My husband was imprisoned for selling drugs in 2009. In order to visit him regularly, I left our children at home to look for a job in the city close to him. Initially, I worked in a factory, but the wage was too low to get by. An acquaintance of mine recommended me to the sauna. Money was a lot better and I was able to afford our children’s school fees and our living costs.

For ZR, working as a *mami* was better in financial terms and also physically easier as what she was asked to do was simply to ‘take *xiaojie* to the clients’ for which she received ten yuan per transaction. The income was enough to meet her needs despite that it was a small percentage (two per cent) of *xiaojie*’s earning (500 yuan per transaction). However, when it comes to determining culpability, it is her motivation – obtaining illicit gain – and the amount gained that matter. Often comparison is made between *mami*’s income and the average wage of

migrant workers in a labour-intensive industry which is typically 1,000 yuan or so per month (see Yu, 2011). Such income comparison may trigger public resentment against female sex work organisers who are therefore perceived as money-grabbers and what they actually do is frequently ignored. This distorted perception makes harsh treatment against female sex work organisers palatable.

#### *Other advantages*

Apart from monetary gain, there are other advantages associated with the management of sex work and leisure consumption is one of them. Like *xiaojie* (see Jeffreys, 1997), young female organisers may also be seduced by the desire of enjoying pleasant surroundings in entertainment establishments such as night clubs and karaoke bars where *xiaojie* and their clients usually meet to exchange money and sex, as LLN who was 20 years old at the time of offending and a NEET (Not in Education, Employment or Training) in the term of Mirza-Davies (2014) illustrated:

I made a friend in a karaoke bar, who was the floor manager there. He said that actually I could organise some *xiaojie* for them. The rewards were 100-200 yuan commission per transaction plus enjoying their hall free of charge. That was too tempting to resist.

For the young NEET, who was at the time financially supported by her parents and had no much legitimate fund available, the ability to consume in an highly-priced entertainment facility was a strong incentive for engaging in the criminal activity, especially given that there was not much going on in her daily life.

Those who needed ‘content’ to fill in their empty lives were not only jobless young women but also older women such as WXJ who was 50 when entering the illicit service sector. She was just retired from a supervisory position in her previous employment and felt nothing

to do while staying home. For her, acting as a general manager of a five-floor hotel complex, which was later found to operate sex services, was to combat boredom and loneliness and maintain a sense of self-worth by ‘doing something useful’ as well as ‘making a little extra cash’ on top of her ‘already comfortable retirement salary’ – the kind of life which, in the eye of the retired female cadre, was more ‘meaningful’ than ‘killing time by dancing in public places’ like an overwhelming number of retired Chinese women do (see *The Guardian*, 2014a; *The Wall Street Journal*, 2014). Indeed, in neoliberal China, the replacement of old neighbourhoods with high-rising living, coupled with the gradual disappearance of collectivism featured in the Maoist era, has left people living in towns and cities compounded with apartment complex with an empty social life. Thus, having something meaningful to do and doing something collectively may be a desire for some lonely women to engage in private sector businesses, social and leisure activities or criminality (Shen, 2015b).

While the data shows that the respondents commonly chose sex work management as a money-making strategy, some seemed to be subjected to male coercion in the context of intimate relationship with a dominated male partner and were initially passive participants. WFL was an example, who met her boyfriend at the age of 19. The man was 14 years her senior and told her that he was running a wedding planning company:

He asked whether I’d like to work for him. I said “yes”. He then took my ID card “for some registration” but never returned it to me. Later, I found he was actually organising *xiaojie*. I made two attempts to leave him but failed. The second time he went to my hometown to look for me. He locked me up in a hotel room and kept saying how much he loved me... I went back with him.

WJ was a 46-year old married woman and ran a shoe sale business in the local market before being coerced by her husband to get involved in organising sex work for *xiaojie*. Initially she

refused to do it but gave in after being threatened by her husband with divorce. Possibly for the married Chinese woman, a good family life, meaning having a husband who is a good father, was her life achievement and could not be given up, even if women today do not have to rely on men for income (Liu and Chan, 1999). For WJ, divorce was not an option and she finally closed down her own business and joined her husband to play a house-keeping role in the ‘wife-husband team’ to organise sex activities for others.

Women entering sex work management in the context of male domination are initially victims of abusive male power. However, their subsequent active engagement in the illicit trade and their financial reward from breaching the law has rendered their initial vulnerability and victimisation irrelevant when it comes to punish them.

Finally, it is worth noting that several respondents claimed that ‘*xiaojie* were doing it voluntarily’ and ‘we helped them earn better money’. According to YL, ‘I do not understand why it is harmful. To me there was a market with willing sellers and buyers who demanded our services. We were just agents...’ WXJ explained that ‘I thought ... it (organising *xiaojie*) would have been a minor breach of regulations, not law, not criminal law anyway’. Sufficient evidence shows that the respondents were commonly unaware of the criminality and true extent of the legal consequences of organising *xiaojie* (for detailed discussion see Shen, 2015a). To a certain extent, it is such a lack of awareness that has shaped the female sex work organisers’ choices and level of participation.

## Conclusion

This article, through an empirical study on female sex work organisers, offers a rare reflection on gender and crime in China as well as critical reflections on the impact of neoliberal policy and practice and the effects of anti-prostitution laws.

Despite the limitations, the methodology of speaking to women who have been convicted of prostitution-related offences in the prison environment is unique and has yielded the important original data that provides some insights into ‘female sex offenders’ in the Chinese context and enables contributions to be made to the broader literature in this field.

One striking finding in this study is that the ‘female sex offenders’ – specifically, female sex work organisers – are ordinary women. Like the female sex workers whom they were organising, these women are victims of the rapid social changes, the traditional gender norms and the social and gendered inequalities. However, to say that female offenders are victims of the socioeconomic transformations and inequalities in contemporary China is by no means to deny the individual being a self-determining agent who is not only shaped by but also shapes the social settings. In fact, the findings suggest that being involved in the management of sex work is a form of social mobility for some women. As Yan (2009) argues, today the individual can break away from the constraint of social groups and women may find their own ways of self-development in the new social environment. However, as the data shows, not everyone can fully take advantage of the new opportunities of mobility to achieve their goals due to various social and personal reasons.

Secondly, the evidence in this study confirms that the free-market economy has created a general desire of ‘money-making’ in the Chinese society in which women are expected to compete alongside men in the process of wealth generation, despite the widespread gender inequality and job discrimination against them. In this context, some women choose to take any opportunities to get rich and a step up the social ladder regardless potential risks. Hence, this article has forged links between female law-breaking and several unwanted outcomes accompanied the economic reforms and it speaks of the profound impact of capitalist practice on women and women’s responses to it.



Thirdly, the findings here challenge the convenient assumption in the vice laws and policy in China which assumes sex work organisers, including women, as exploitative controllers of others although little is known about them. Apparently, this assumption requires revision. This article thus exposes the gaps between the reality and the law and policy which continues to ignore the fundamental problems in this field due to a lack of the updated, accurate information.

The Chinese vice laws have not been revised since 1997 and little has been done to evaluate the outcomes of the existing policy and its impact on individuals in the sex trade and on a wider population. It may be said that the anti-prostitution policy and practice, which aim at eradicating prostitution, ignore the reality and have failed to achieve the intended goals. Therefore, urgent inquiries are needed to gain a better understanding of the sex trade and the nature of sex work management in particular so as to help policy making to effectively respond to the problem.

Finally, relying on the ‘hard’ evidence, this article offers a couple of implications for policy and practice. At the practical level, like female sex workers, female organisers, who organise sexual transactions for voluntary adults and exercise no exploitive control, need help but in reality they are brought into the criminal justice system, legally punished as ‘sex offenders’ and morally condemned as bad women eroding socialist morality. As the policy level, it is necessary to recognise that eradication and suppression is not a policy solution but a ‘push factor’ for individuals in the sex trade, who may simply move to places or even foreign territories with a flourishing sex market and a relatively safe basis for commercial sex services as Chin and Finckenauer (2012) explored in their remarkable research.

## **Acknowledgements**

I would like to thank three anonymous reviewers for their invaluable comments and helpful advice on an early draft of this article. An earlier version of this paper was presented at the Social Futures Institute seminar at Teesside University in February 2015. I would like to thank the audience for their useful feedback and suggestions. Any errors remain my own. This article draws from the fieldwork funded by Teesside University under their IVA scheme 2013-2014, to which I am grateful.

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